

REMARKS

Reconsideration of the subject application in view of the following remarks is respectfully requested. Applicants respectfully traverse the restriction requirements primarily on the grounds that the claims are directed to subject matter within the same class, among other things, which would not render searching the relevant art unduly burdensome.

Applicant provides the following elections with traverse:

All claims directed to a method of inducing anesthesia (i.e., Claims 36-86, 108-123);

"Triglycerides of medium chain fatty acids" in Claim 41;

"Pharmaceutically acceptable vegetable oils" in Claim 42;

"Mannitol" in Claim 44; and

"General anesthesia" in Claim 108;

Applicants further traverse the restriction requirement asserted against Claim 67 on the added grounds that Claim 67 does not contain a Markush grouping of species comprising amphiphilic agents, but rather, is directed to "egg lecithin and dimyristoylphosphatidyl glycerol" (emphasis added). Applicants respectfully request that the Examiner revisit this particular matter.

Applicants retain the right to prosecute non-elected, cancelled and pre-amended claims at a later date in this application, an application claiming priority from this application, or in any reissue or reexamination application that may be filed in the future, throughout prosecution of the present application.

It is respectfully submitted that as a result of this response, all of the claims presently pending in this application are in condition for allowance, and such action is earnestly solicited.

If the Examiner believes that a personal or telephonic interview may facilitate resolution of any remaining matters, Applicant's representative may be contacted at the number indicated below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard H. Newman", with a long horizontal flourish extending to the right.

Richard H. Newman

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